

## § 2604.104

## 5 CFR Ch. XVI (1–1–16 Edition)

may be withheld. Review does not include time spent resolving general legal and policy issues regarding the application of exemptions.

*Search* means the time spent looking for material manually or by automated means that is responsive to a request, including page-by-page or line-by-line identification of material within documents.

*Working days* means calendar days, excepting Saturdays, Sundays, and legal public holidays.

### § 2604.104 Preservation of records.

OGE will preserve all correspondence pertaining to the requests that it receives under this part, as well as copies of all responsive records, until disposition or destruction is authorized by title 44 of the United States Code or the National Archives and Records Administration's General Records Schedule. Records will not be disposed of while they are the subject of a pending request, appeal, or lawsuit.

### § 2604.105 Other rights and services.

Nothing in this part will be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under the FOIA.

## Subpart B—FOIA Public Reading Room Facility and Web Site; Index Identifying Information for the Public

### § 2604.201 Public reading room facility and Web site.

(a)(1) *Location of public reading room facility.* OGE maintains a public reading room facility at its offices located at 1201 New York Avenue NW., Suite 500, Washington, DC 20005–3917. Persons desiring to utilize the reading room facility should contact OGE, in writing or by telephone: 202–482–9300, TDD: 202–482–9293, or FAX: 202–482–9237, to arrange a time to inspect the materials available there.

(2) *Web site.* The records listed in paragraph (b) of this section that were created on or after November 1, 1996, or which OGE is otherwise able to make electronically available, along with the OGE FOIA and Public Records Guide

and OGE's annual FOIA reports, are also available via OGE's Web site ([www.oge.gov](http://www.oge.gov)). OGE will proactively identify additional records of interest to the public and will post such records on its Web site when practicable.

(b) *Records available.* The OGE public reading room facility contains OGE records which are required by 5 U.S.C. 552(a)(2) to be made available for public inspection and copying, including:

(1) Any final opinions, as well as orders, made in the adjudication of cases;

(2) Any statements of policy and interpretation which have been adopted by OGE and are not published in the FEDERAL REGISTER;

(3) Any administrative staff manuals and instructions to staff that affect a member of the public, and which are not exempt from disclosure under section (b) of the FOIA;

(4) Copies of records created by OGE that have been released to any person under subpart C of this part which, because of the nature of their subject matter, OGE determines have become or are likely to become the subject of subsequent requests for substantially the same records, together with a general index of such records; and

(5) A general index of the records referred to under § 2604.201(b)(4).

(c) *Copying.* The cost of copying information available in OGE's public reading room facility will be imposed on a requester in accordance with the provisions of subpart E of this part.

(d) OGE may delete from the copies of materials made available under this section any identifying details necessary to prevent a clearly unwarranted invasion of personal privacy. Any such deletions will be explained in writing and the extent of such deletions will be indicated on the portion of the records that are made available or published, unless the indication would harm an interest protected by the FOIA exemption pursuant to which the deletions are made. If technically feasible, the extent of any such deletions will be indicated at the place in the records where they are made.

### § 2604.202 Index identifying information for the public.

(a) OGE will maintain and make available for public inspection and